



BLM NEWS

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Rule Change to Federal Regulations Will Streamline BLM Wildfire Management Decisions

The Bureau of Land Management may now implement wildfire management decisions on rangelands and forest lands with a minimum of delay, thanks to changes in federal regulations governing hearings and appeals. The final changes were published in the June 5 *Federal Register*, and are effective July 7, 2003.

When natural resources, homes or other property are at risk from wildland fire, the BLM needs to quickly take steps to minimize the damage or prevent subsequent harm from post-fire effects, such as erosion. This final rule allows the BLM to make these “wildfire management decisions” effective immediately when the BLM determines that:

- there is substantial risk of wildfire due to drought, fuels buildup, or other reasons; or
- public lands are at immediate risk of erosion or other damage due to wildfire that has occurred.

The types of decisions these provisions would apply to include:

- fuel reduction or fuel treatment, such as prescribed burns and mechanical, biological and chemical thinning; and
- projects to stabilize and rehabilitate lands affected by wildfire.

These changes are a step forward in the implementation of the Healthy Forests Initiative announced by President Bush August 22, 2002. That Initiative responded to the ongoing threat of catastrophic wildfires posed by unnaturally dense and unhealthy forests and rangelands. A component of the Initiative directs Agriculture Secretary Ann Veneman, Interior Secretary Gale Norton, and Council on Environmental Quality Chairman James Connaughton to improve regulatory processes to ensure more timely decisions, greater efficiency, and better results in reducing the risk of catastrophic wildfires by restoring forest and rangeland health.

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The rule also amends the regulations of the Office of Hearings and Appeals on procedures for appealing to the Interior Board of Land Appeals. These amendments will support the Healthy Forests Initiative by:

- 1) explaining and codifying who has a right to appeal a decision relating to the use of public lands. That person would be someone who:
 - is directly affected by the decision, or has participated in the agency action leading to the decision; and
 - has a legally cognizable interest that has suffered or is substantially likely to suffer adverse effects from the decision.
- 2) expediting review of BLM wildfire management decisions by requiring the Interior Board of Land Appeals to render a final decision within 60 days after all pleadings have been filed and 180 days after the appeal was filed, and
- 3) simplifying proof of service of documents by requiring only a certification at the end of the document that service has been made along with a statement of the date and manner of service.

The OHA changes are intended to streamline internal procedures to reduce burdens on parties to appeals.

The BLM, an agency of the U.S. Department of the Interior, manages more land—261 million surface acres—than any other federal agency. Most of the country's BLM-managed public land is located in 12 Western states, including Alaska. The Bureau, which has a budget of \$1.8 billion and a workforce of 10,000 employees, also administers 700 million acres of sub-surface mineral estate throughout the Nation. The BLM's "multiple use" mission is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. The BLM accomplishes this by managing for such resources as outdoor recreation, livestock grazing, and energy and mineral development that helps meet the nation's energy needs, and by conserving natural, historical, cultural, and other resources on the public lands.

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